

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GERALD J. DEMENNA, individually and
d/b/a CHEM-CHEK CONSULTING,

Plaintiffs,

– against –

BUCK SCIENTIFIC, INC., ROBERT J.
ANDERSON, and ERIC ANDERSON,

Defendants.

CIVIL ACTION

CASE NO. 07 CV 6240 (LAP)

**ORDER TO SHOW CAUSE
FOR PRELIMINARY INJUNCTION
AND TEMPORARY
RESTRAINING ORDER**

UPON the affidavit of Gerald J. DeMenna, sworn to on _____ the day of July, 2007, the exhibits annexed thereto, the Affirmation of Joel J. Reinfeld, Esq. dated July ___, 2007, and upon the copy of the Complaint hereto annexed, it is

ORDERED, that the above named Defendants, or their counsel, show cause before a motion term of this Court, in Courtroom _____ of the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, in the City, County and State of New York, on the _____ day of **JULY 2007**, at ____:____ o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Defendants, during the pendency of this action, from:

- a. publishing, distributing, and/or rendering any statement concerning the purported basis for Plaintiff's termination of services for Buck Scientific, except in response to written request for same by a third-party seeking references with regard to hiring the Plaintiff;
- b. voluntarily contacting any third-party for the purpose of publishing, distributing, and/or rendering any statement concerning the Plaintiff and/or his performance of the services for which Buck Scientific engaged him;
- c. reviewing, accessing, copying, disseminating, and/or utilizing in any manner the confidential and proprietary information that had been stored on Plaintiff's personal computers on or before June 18, 2007:

and, it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Rule Rule 65 of the Federal Rules of Civil Procedure, the Defendants are temporarily restrained and enjoined from:

- a. publishing, distributing, and/or rendering any statement concerning the purported basis for Plaintiff's termination of services fro Buck Scientific, except in response to written request for same by a third-party seeking references with regard to hiring the Plaintiff;
- b. voluntarily contacting any third-party for the purpose of publishing, distributing, and/or rendering any statement concerning the Plaintiff and/or his performance of the services for which Buck Scientific engaged him;
- c. reviewing, accessing, copying, disseminating, and/or utilizing in any manner the confidential and proprietary information that had been stored on Plaintiff's personal computers on or before June 18, 2007:

and, it is further

ORDERED that personal service of a copy of this order, together with the annexed affidavit and Complaint, upon the Defendants or their counsel on or before the ____ day of **JULY 2007**, at ____:____ o'clock in the ____ noon thereof, shall be deemed good and sufficient service thereof.

DATED:

New York, New York

ISSUED: _____ M

United States District Judge